4.1 LAND USE/RELEVANT PLANNING

The purpose of this section is to discuss the impacts of project implementation upon land uses on the project site and adjacent areas. This section includes a discussion of existing conditions including on- and off-site land uses. Potential impacts of the proposed project are examined, including compatibility with surrounding land uses, the City of Huntington Beach General Plan (City of Huntington Beach 1996); the City of Huntington Beach Local Coastal Program, which is the Coastal Element of the City's General Plan (City of Huntington Beach 2001); and the City of Huntington Beach Zoning and Subdivision Ordinance (City of Huntington Beach 1997). The proposed project would have the same impacts on land use if implemented as a standalone or co-located operation, and thus the following analysis is applicable to both scenarios.

EXISTING CONDITIONS

PROPOSED DESALINATION FACILITY SITE

On-Site Land Uses

The approximately 13-acre desalination facility site is located within the City of Huntington Beach, south of Hamilton Avenue, north of Pacific Coast Highway, east of Newland Street, and west of Magnolia Street. The proposed project site consists of three fuel storage tanks formerly used in conjunction with the Huntington Beach Generating Station. The Tank 1 site (location for the aboveground product water storage tank) is also developed with a fuel storage tank. For additional information regarding existing conditions, see Section 3.0, Project Description; Figure 3-2, Site Vicinity Map; and Figure 4.7-1, Desalination Facility Site Photographs.

Land Uses Adjacent to the Desalination Facility Site

Surrounding land uses adjacent to the desalination site include the AES Huntington Beach Generating Station (HBGS) to the southwest, the wetland area to the southeast, the Huntington Beach channel (a facility operated by the Orange County Flood Control District) to the east, the City of Huntington Beach maintenance yard to the north, and an electrical switchyard to the west (see Figure 3-2). Additional surrounding land uses include Pacific Coast Highway to the south; the Pacific Holdings storage tank facility to the east; a wetland to the southeast; Ascon/Nesi landfill to the northeast; commercial, industrial, recreational, and residential uses to the north; and Newland Street, Huntington-by-the-sea mobile home park, and Cabrillo mobile home park to the west.

OFF-SITE PIPELINE ALIGNMENT AND UNDERGROUND PUMP STATIONS

On-Site Land Uses

Proposed Pipeline Alignments

Pipeline alignments (see Figures 3-3a, Off-site Water Delivery Facility Pipelines and Pump Stations – Primary Route, and 3-3b, Off-site Water Delivery Facility Pipelines and Pump Stations – Option Routes) are proposed to be routed primarily within existing street rights-of-way and easements. However, portions of the pipeline alignments are proposed to be installed within areas of the Costa Mesa Country Club and Fairview Developmental Center, a state-owned hospital (both within the City of Costa Mesa).

OC-44 Booster Pump Station

The proposed OC-44 underground pump station site is located within an Orange County resource preservation easement within the City of Newport Beach and is currently undeveloped, with the exception of water conveyance facilities (see Figure 4.7-3, Booster Pump Station Site Photographs). Although the resource preservation easement is subject to various development restrictions, the pump station would be situated in an area of the easement where limited development is allowed. The footprint of the proposed underground pump station would be approximately 60 feet by 152 feet and would require a construction easement of 85 feet by 177 feet. It should be noted that the proposed pump station site is immediately to the west of (but not within) the reserve area of the Central and Coastal Reserve Design Subregions of the Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) of Orange County (Nature Reserve of Orange County 2005).

Two additional optional sites for the OC-44 booster pump station have been identified. Both sites are located within the City of Newport Beach, approximately 0.5 mile north of the San Joaquin Reservoir, in an area adjacent to but outside of an area designated as "Reserve" by the Central/Coastal NCCP/HCP. Optional Site "2" is approximately 0.14 acre and located south of the terminus of Ford Road, along an additional access road to the San Joaquin Reservoir. The site is located adjacent to a paved access road in an undeveloped area east of residential uses. Optional Site "3" is approximately 0.55 acre and located adjacent to Chambord Road, along an additional access road to the reservoir that intersects with Chambord Road. The site is undeveloped and located downhill and to the west of single-family residential uses. Optional Sites 2 and 3 are depicted on Figure 3-4, OC-44 Booster Pump Station Location Map.

Coastal Junction Booster Pump Station

The Coastal Junction underground booster pump station is proposed within the parking lot of Saint Paul's Greek Orthodox Church within the City of Irvine, located at 4949 Alton Parkway. The underground pump station would be constructed within the north/northwestern portion of the church parking lot, in an area used for both parking and volleyball activities. The footprint of the proposed underground pump station would be approximately 100 feet by 100 feet and would require a construction easement of 125 feet by 125 feet (see Figure 4.7-3).

Magnolia and Brookhurst Pump Stations

The Magnolia and Brookhurst pump stations are located at the intersections of Orangewood Avenue/Magnolia Street and Brookhurst Street/Bixby Avenue in the City of Garden Grove (see Figure 3-3b). The pump stations would be constructed within a disturbed right-of-way. The footprint of the proposed underground pump stations would be approximately 100 feet by 100 feet, requiring a construction easement of 125 feet by 125 feet.

Bristol Pump Station

The Bristol pump station is located in the City of Santa Ana near the Bear Avenue/Segerstrom Avenue intersection (see Figure 3-3b). The pump station would be constructed within an area including recreational uses. The footprint of the proposed underground pump station would be approximately 100 feet by 100 feet, requiring a construction easement of 125 feet by 125 feet.

OC-44 Bypass Station

The OC-44 bypass station is located on Santa Ana Ave just southwest of Bristol Street intersection in the City of Costa Mesa (see Figure 3-3b). The footprint of the proposed underground bypass pump station would be approximately 12 feet wide by 12 feet long and 12 feet deep.

Adjacent Land Uses

Proposed Pipeline Alignments

The proposed pipeline alignments are situated adjacent to a variety of residential, commercial, educational, medical, and recreational land uses.

OC-44 Booster Pump Station

The proposed OC-44 booster pump station site is surrounded by open space to the north, open space and residential to the east, open space and residential to the west, and open space to the south. As mentioned previously, the proposed pump station site is immediately to the west of (but not within) the reserve area of the Central and Coastal Reserve Design Subregions of the NCCP/HCP of Orange County (Nature Reserve of Orange County 2005).

Coastal Junction Booster Pump Station

The Coastal Junction pump station site is surrounded by the Saint Paul's Greek Orthodox Church to the south, the Woodbridge Village Association to the west, an apartment complex to the east, and open space to the north. Saint Paul's Church also currently houses the Crean Lutheran South High School, in which over 300 students are enrolled. The high school proposes to build a permanent campus in another location in the City of Irvine and has received initial approvals from the city for the permanent site. It is likely that the school will be relocated from the Saint Paul's site prior to construction of the booster pump station.

Magnolia and Brookhurst Pump Stations

The Magnolia pump station is located at the intersection of Orangewood Avenue/Magnolia Street in the City of Garden Grove (see Figure 3-3b). The pump station site is surrounded by a disturbed right-of-way, including open concrete channel drainage, lattice towers for transmission lines, and residential uses located to the south, north, and west. A shopping market is also located across Magnolia Street from the proposed pump station.

The Brookhurst pump station is located at the intersection of Bixby Avenue/Brookhurst Street in the City of Garden Grove (see Figure 3-3b). The pump station site is surrounded by a disturbed right-of-way. Residential uses and a vacant lot are located to the south and west, and commercial uses including restaurants and a bank are located to north and east.

Bristol Pump Station

The Bristol pump station is located in the City of Santa Ana to the south of the Bear Street/Segerstrom Avenue intersection (see Figure 3-3b). The pump station site is located within a recreational area (Carl Thornton Park) and is surrounded by single-family residential uses.

OC-44 Bypass Station

The OC-44 bypass station is located to the south of the Santa Ana Avenue/Bristol Street intersection (see Figure 3-3b). The bypass station site is located adjacent to a drainage ditch and golf course to the west, residential uses to the east and south, and commercial uses including hotels and restaurants to the north.

REGULATORY SETTING/RELEVANT PLANNING

City of Huntington Beach Zoning and Subdivision Ordinance

The purpose of the City of Huntington Beach's Zoning and Subdivision Ordinance is to implement the policies of the City's General Plan (City of Huntington Beach 1996). The goal of the Zoning and Subdivision Ordinance is to promote and protect the public health, safety, and general welfare of Huntington Beach residents and to provide the physical, economic, and social advantages that result from a comprehensive and orderly planned use of land resources.

The City of Huntington Beach General Plan designates the proposed seawater desalination facility site as Public (P). Typical permitted uses within areas of this designation include governmental administrative and related facilities, such as utilities, schools, public parking lots, infrastructure, religious, and similar uses. The seawater desalination facility site is zoned as Public-Semipublic with Oil and Coastal Zone Overlays (PS-O-CZ) (see Figure 4.1-1, Zoning Designations). This designation provides for similar uses to those allowed by the City of Huntington Beach General Plan. Included under Section 204.08(R) of the City's zoning code as acceptable uses under this zoning designation are "water or wastewater treatment plants… and similar facilities of public agencies or public utilities" (City of Huntington Beach 1997). As the subject site is located within the coastal zone, the City's Local Coastal Program (LCP) is also applicable. The zoning and Subdivision Ordinance is the Implementing Ordinance for the City's LCP.

The applicant, Poseidon Resources LLC (Poseidon), has pursued the development of the site as a seawater desalination facility since 1999. The proposed Seawater Desalination Project at Huntington Beach has been revised and is fully described in Section 3.0 of this SEIR. The City of Huntington Beach approved a previous design for the project through issuance of a conditional use permit and coastal development permit on February 27, 2006. A discussion of the City's finding relative to the project's consistency with the City's General Plan, zoning, and certified LCP is presented in the discussion of project impacts below.

City of Huntington Beach General Plan

The City of Huntington Beach uses its General Plan (1996) to set baseline land use criteria within the City (see Figure 4.1-2, Land Use Designations). The project site is designated as Public (P) by the City's General Plan. Typical permitted uses within areas of this designation include governmental administrative and related facilities, such as utilities, schools, public parking lots, infrastructure, religious, and similar uses. Use of the words and phrases "such as"' and "similar uses" provides evidence of an intent to provide for other land uses not explicitly listed under this category; the uses listed under Public (P) are not exclusive, but are examples. As an example, the HBGS site, which is also designated as Public (P), is an industrial electrical generating station that is not specifically cited in the list of permitted uses, but is nonetheless consistent with the General Plan designation. The

proposed desalination facility, which will produce potable water for other water suppliers to distribute to the public, is a use that is "similar" to governmental administrative and related facilities.

The policies and portions of the following General Plan elements are relevant to the proposed project:

City of Huntington Beach Local Coastal Program (Coastal Element)

The California Coastal Act of 1976 (Coastal Act) requires that a local government lying wholly or in part within the coastal zone prepare a local coastal program for its portion of the coastal zone. The coastal zone within the City of Huntington Beach runs from the northern City limit at Seal Beach, south 9 miles to the Santa Ana River at the Huntington Beach/Newport Beach boundary, totaling approximately 5 square miles. The following policies of the local coastal program are relevant to the proposed desalination facility, as it lies within the coastal zone (City of Huntington Beach 2001):

- Policy C1.1.1 (p. IV-C-106): With the exception of hazardous industrial development, new development shall be encouraged to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

- Policy C4.2.1 (p. IV-C-119): Ensure that the following minimum standards are met by new development in the Coastal Zone as feasible and appropriate:

    - Preservation of public views to and from the bluffs, to the shoreline and ocean and to the wetlands.

    - Adequate landscaping and vegetation.

    - Evaluation of project design regarding visual impact and compatibility.

    - Incorporate landscaping to mask oil operations and major utilities, such as the electrical power plant on Pacific Coast Highway.

- Policy C4.2.3 (p. IV-C-119): Promote the preservation of significant public view corridors to the coastal corridor, including views of the sea and the wetlands through strict application of local ordinances, design guidelines, and related planning efforts, including defined view corridors.

- Policy C4.7.1 (p. IV-C-122): Promote the use of landscaping material to screen uses that detract from the scenic quality of the coast along public rights-of-way and within public view.

- Policy C4.7.5 (p. IV-C-122): Require the review of new and/or expansions of existing industrial and utility facilities to ensure that such facilities will not visually impair the City's coastal corridors and entry nodes.

- Policy C4.7.8 (p. IV-C-122): Require landscape and architectural buffers and screens around oil production facilities and other utilities visible from public rights-of-way.

- Policy C4.7.9 (p. IV-C-122): Require the removal of non-productive oil production facilities and the restoration of the vacated site.

- Policy C6.1.1 (p. IV-C-124): Require that new development include mitigation measures to enhance water quality, if feasible; and, at a minimum, prevent the degradation of water quality of groundwater basins, wetlands, and surface water.

- Policy C6.1.13 (p. IV-C-127): Encourage research and feasibility studies regarding ocean water desalinization as an alternative source of potable water. Participate in regional studies and efforts where appropriate.

- Policy C6.1.19 (p. IV-C-128): Prior to approval of any new or expanded seawater pumping facilities, require the provision of maximum feasible mitigation measures to minimize damage to marine organisms due to entrainment in accordance with state and federal law.

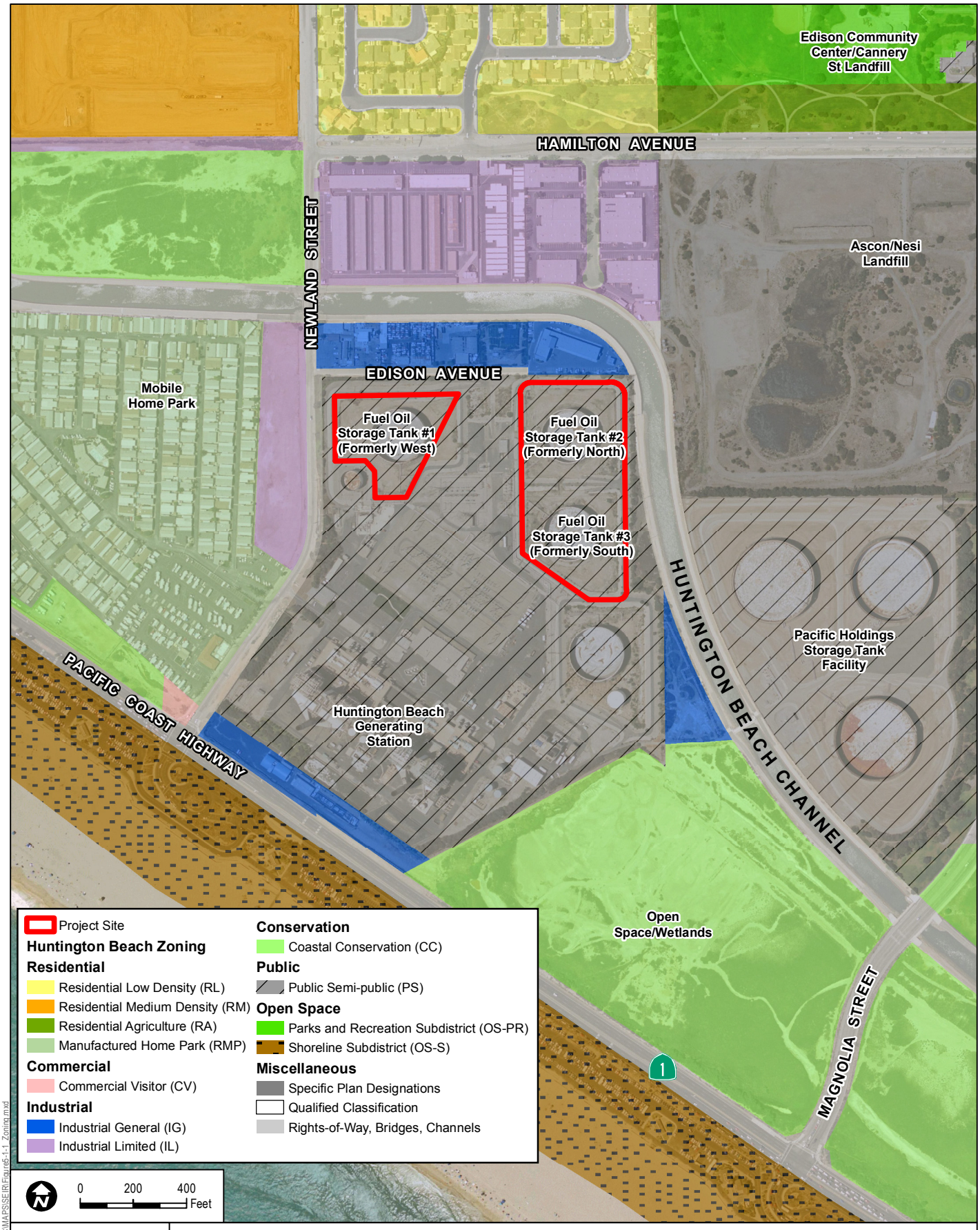
- Policy C7.1.3 (p. IV-C-129): Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

- Policy C7.1.4 (p. IV-C-130): Require that new development contiguous to wetlands or environmentally sensitive habitat areas include buffer zones. Buffer zones shall be a minimum of one hundred feet setback from the landward edge of the wetland, with the exception of the following:

  A lesser buffer may be permitted if existing development or site configuration precludes a 100-foot buffer, or conversely, a greater buffer zone may be required if substantial development or significantly increased human impacts are anticipated. In either case, the following factors shall be considered when determining whether a lesser or wider buffer zone is warranted. Reduced buffer zone areas shall be reviewed by the Department of Fish and Game prior to implementation.

    - Biological significance of adjacent lands: The buffer should be sufficiently wide to protect the functional relationship between wetland and adjacent upland.

    - Sensitivity of species to disturbance: The buffer should be sufficiently wide to ensure that the most sensitive species will not be disturbed significantly by permitted development, based on habitat requirements of both resident and migratory species and the short and long term adaptability of various species to human disturbance.



SOURCE: City of Huntington Beach 2008; DigitalGlobe 2007

FIGURE 4.1-1

Zoning Designations

6483-01

MAY 2010

Seawater Desalination Project at Huntington Beach

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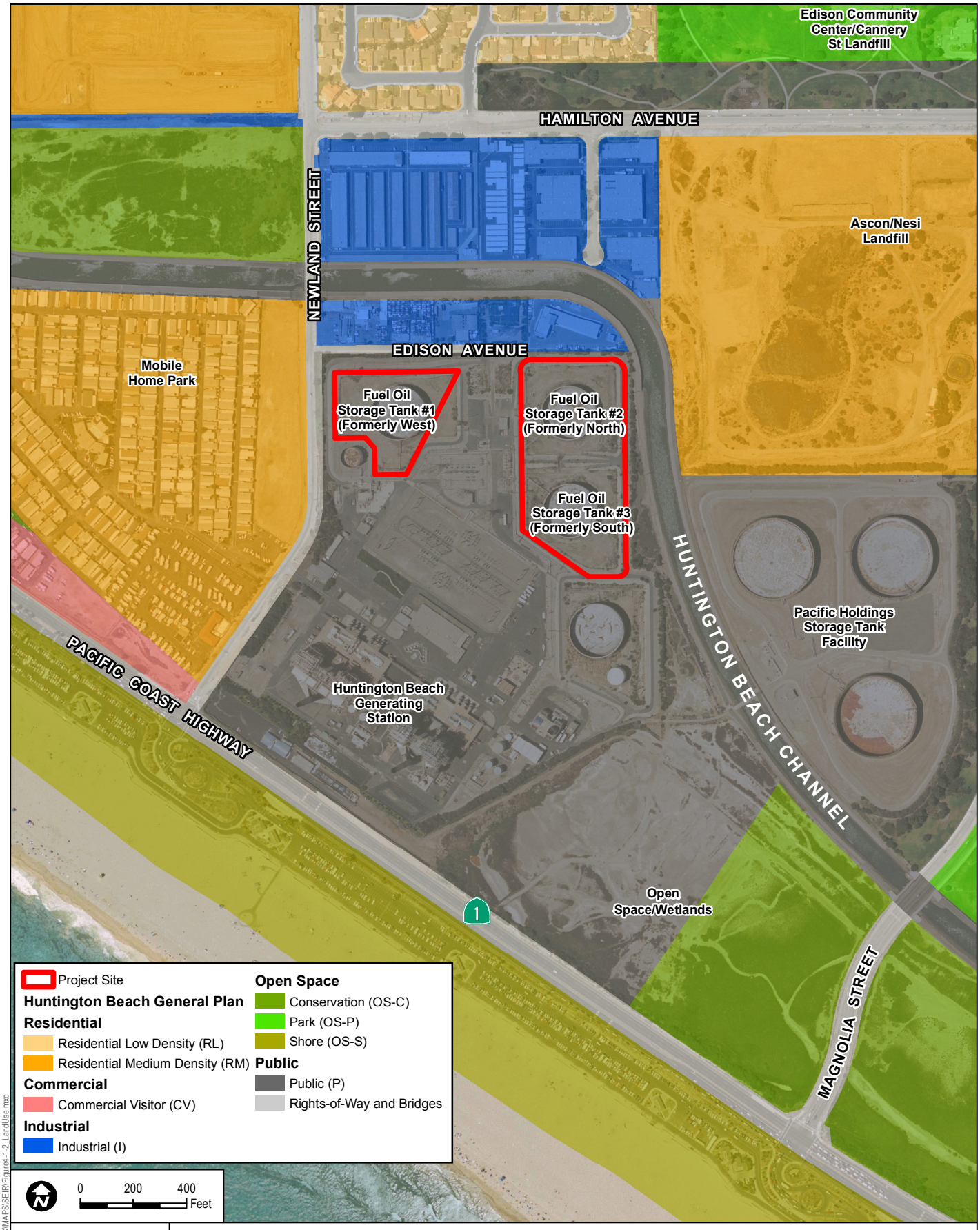

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SOURCE: City of Huntington Beach 2008; DigitalGlobe 2007

FIGURE 4.1-2

Land Use Designations

6483-01

MAY 2010

Seawater Desalination Project at Huntington Beach

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- Susceptibility of parcel to erosion: The buffer should be sufficiently wide to allow for interception of any additional material eroded as a result of the proposed development based on soil and vegetative characteristics, slope and runoff characteristics, and impervious surface coverage.

- Use of existing cultural features to located buffer zones: The buffer zone should be contiguous with the environmentally sensitive habitat area and make use of existing features such as roads, dikes, irrigation canals, and flood control channels where feasible.

- Policy C7.1.5 (p. IV-C-130): Notify county, state, and federal agencies having regulatory authority in wetlands and other environmentally sensitive habitats when development projects in and adjacent to such areas are submitted to the City.

  The implementation of any Habitat Conservation Plan shall require an amendment to the Local Coastal Program. Incidental take of sensitive habitat and/or species that occurs in the context of development must be consistent with this LCP.

- Policy C10.1.4 (p. IV-C-136): Require appropriate engineering and building practices for all new structures to withstand ground shaking and liquefaction such as those stated in the Uniform Building Code.

City of Huntington Beach Land Use Element

The following policies of the Land Use Element are relevant to the proposed desalination facility:

- Policy LU 4.1.1 (p. II-LU-20): Require adherence to or consideration of the policies prescribed for *Design and Development* in this Plan, as appropriate.

- Policy LU 4.1.2 (p. II-LU-20): Require that an appropriate landscape plan be submitted and implemented for development projects subject to discretionary review.

- Policy LU 4.1.6 (p. II-LU-20): Require that commercial and industrial development incorporate adequate drought-conscious irrigation systems and maintain the health of the landscape.

- Policy LU 4.2.1 (p. II-LU-20): Require that all structures be constructed in accordance with the requirements of the City's building and other pertinent codes and regulations; including new, adaptively re-used, and renovated buildings.

- Policy LU 4.2.4 (p. II-LU-20): Require that all development be designed to provide adequate space for access, parking, supporting functions, open space, and other pertinent elements.

- Policy LU 4.2.5 (p. II-LU-20): Require that all commercial, industrial, and public development incorporate appropriate design elements to facilitate access and use as required by state and federal laws such as the American's with Disabilities Act.

- Policy LU 5.1.1 (p. II-LU-21): Require that development protect environmental resources by consideration of the policies and standards contained in the Environmental Resources/Conservation Element of the General Plan and federal (National Environmental Policy Act [NEPA]) and state (California Environmental Quality Act [CEQA]) regulations.

- During the development review process:

    - Review any development proposal for the Bolsa Chica area, Huntington Beach wetlands, and throughout the City to ensure that no development is permitted in federally delineated wetlands; and

    - Review any development proposed for non-wetland areas to ensure that appropriate setbacks and buffers are maintained between development and environmentally sensitive areas to protect habitat quality.

- Policy LU 7.1.2 (p. II-LU-22): Require that development be designed to account for the unique characteristics of project sites and objectives for community character and in accordance with the Development "Overlay" Schedule (Table LU-3) as appropriate.

- Policy LU 7.1.5 (p. II-LU-22): Accommodate the development of a balance of land uses that maintain the City's fiscal viability and integrity of environmental resources.

- Policy LU 12.1.4 (p. II-LU-41): Require that new and recycled industrial projects be designed and developed to achieve a high level of quality, distinctive character, and compatible with existing uses.

- Policy LU 12.1.5 (p. II-LU-41): Require that new and recycled industrial structures and sites be designed to convey visual interest and character and to be compatible with adjacent uses, considering the:

    - Use of multiple building masses and volumes to provide visual interest and minimize the visual sense of bulk and mass;

    - Architectural design treatment of all building elevations;

    - Use of landscaping in open spaces and parking lots, including broad landscaped setbacks from principal peripheral streets;

    - Enclosure of storage areas with decorative screening or walls;

    - Location of site entries to minimize conflicts with adjacent residential neighborhoods; and

    - Mitigation of noise, odor, lighting, and other impacts.

- Policy LU 12.1.7 (p. II-LU-42): Control the development of industrial uses that use, store, produce, or transport toxins, generate unacceptable levels of noise or air pollution, or result in other impacts that may adversely impact Huntington Beach.

City of Huntington Beach Urban Design Element

The following policy of the Urban Design Element is relevant to the proposed desalination facility:

- Policy UD 2.1.1 (p. II-UD-27): Require that new development be designed to consider coastal views in its massing, height, and site orientation.

City of Huntington Beach Economic Development Element

The following policy of the Economic Development Element is relevant to the proposed desalination facility:

- Policy ED 2.5.2 (p. II-ED-24): Seek to capture new growth industries such as, but not limited to:
    - Knowledge based industries, such as research and development firms (higher technology communications and information industries);
    - Communication industry service providers and equipment manufacturers which are creating the next series of consumer and utility company equipment and services;
    - Biotechnical industries;
    - Environmental technology; and
    - Point of sale industries.

City of Huntington Beach Environmental Resources/Conservation Element

The following policy of the Environmental Resources/Conservation Element is relevant to the proposed desalination facility:

- Policy ERC 4.1.5 (p. IV-ERC-25): Promote the preservation of public view corridors to the ocean and the waterfront through strict application of local ordinances, design guidelines and related planning efforts, including defined view corridors.

City of Huntington Beach Air Quality Element

The following policy of the Air Quality Element is relevant to the proposed desalination facility:

- Policy AQ 1.8.2 (p. IV-AQ-15): Require installation of temporary construction facilities (such as wheel washers) and implementation of construction practices that minimize dirt and soil transfer onto public roadways.

City of Huntington Beach Environmental Hazards Element

The following policy of the Environmental Hazards Element is relevant to the proposed desalination facility:

- Policy EH 1.2.1 (p. V-EH-24): Require appropriate engineering and building practices for all new structures to withstand ground shaking and liquefaction such as stated in the Uniform Building Code (UBC).

City of Huntington Beach Noise Element

The following policy of the Noise Element is relevant to the proposed desalination facility:

- Policy N 1.2.2 (p. V-N-6): Require new industrial and new commercial land uses or the major expansion of existing land uses to demonstrate that the new or expanded use would not be directly responsible for causing ambient noise levels to exceed an exterior Ldn of 65 dB(A) on areas containing “noise sensitive” land uses as depicted on Figure N-1.

City of Huntington Beach Hazardous Materials Element

The following policies of the Hazardous Materials Element are relevant to the proposed desalination facility:

- Policy HM 1.1.4 (p. V-HM-7): Implement federal, state, and local regulations for the handling, storage, and disposal of hazardous materials.

- Policy HM 1.2.2 (p. V-HM-7): Ensure that hazardous waste transportation activities are conducted in a manner that will minimize risks to sensitive uses.

- Policy HM 1.4.4 (p. V-HM-8): Require that owners of contaminated sites develop a remediation plan with the assistance of the Orange County Environmental Management Agency (EMA).

Southeast Coastal Redevelopment Plan

The proposed project site is located within the Southeast Coastal Redevelopment Plan area (City of Huntington Beach 2002). This redevelopment plan became effective in August 2002, with the associated Program EIR certified in June 2002. Adoption of the *Southeast Coastal Redevelopment Plan* did not change any General Plan or zoning designations within the redevelopment area (including the proposed desalination facility site).

California Coastal Act (California Public Resources Code, Section 30000 et seq.)

As the proposed project is situated within the coastal zone in the City of Huntington Beach, and the City has an approved local coastal plan, the desalination facility will require a coastal development permit from the City. However, various types of development within the coastal zone are also required to obtain a coastal development permit from the California Coastal Commission. These developments are defined in Section 30106 of the Coastal Act as, "on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste... or construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility..." (California Public Resources Code, Section 30000 et seq.). As such, the

proposed desalination facility's ocean discharge will require separate review and approval of a coastal development permit by the California Coastal Commission.

The following is a summary of the applicable sections of the Coastal Act that will be considered in the coastal development permitting process:

Protection of Marine Life and Water Quality

Coastal Act Section 30230 states:

> Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Coastal Act Section 30231 states:

> The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

These Coastal Act provisions generally require that marine resources be maintained, enhanced, and where feasible, restored. They also require that the marine environment be used in a manner that sustains biological productivity and maintains healthy populations of all marine species. Coastal Act Section 30231 requires that biological productivity be maintained and, where feasible, restored, including by minimizing the adverse effects of entrainment.

Public Access

Coastal Act Section 30210 states:

> In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Coastal Act Section 30211 states:

> Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Coastal Act Section 30212(a) states:

> Public access from the nearest public roadway to the shoreline and along the coast shall be provided in· new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Coastal Act Section 30212.5 states:

> Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Coastal Act Section 30213 states:

> Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred...

Scenic and Visual Resources

Coastal Act Section 30251 states:

> The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Energy Use and Greenhouse Gas Emissions

Coastal Act Section 30253(4) states:

> New development shall: ... Minimize energy consumption and vehicle miles traveled.

Development and Public Services

Coastal Act Section 30250(a) states:

> New residential, commercial; or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close

> proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

Coastal Act Section 30250(a) generally requires that new industrial development, such as the proposed project, be sited in developed areas able to accommodate it or in areas with adequate public services and where it will not result in significant adverse effects to coastal resources.

Coastal Act Section 30254 states:

> New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature, that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, "essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS REGIONAL COMPREHENSIVE PLAN AND GUIDE

The Southern California Association of Governments (SCAG) developed the 2008 Regional Comprehensive Plan (RCP) with outreach and input from the RCP Taskforce, SCAG's policy committees, local governments, and other key stakeholders to present a vision of how Southern California can balance resource conservation, economic vitality, and quality of life (SCAG 2008). The RCP serves as an advisory document to local agencies and identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way.

The following policies from the RCP (SCAG 2008) are relevant to the proposed seawater desalination facility:

Air Quality

The following policy of the Air Quality chapter is relevant to the proposed desalination facility:

- AQ-3: SCAG should develop policies that discourage the location of sensitive receptors that expose humans to adverse air quality impacts by:
    - Assisting local governments to develop policies that minimize exposure of sensitive receptors and sites (e.g., schools, hospitals, and residences) to major sources of air

pollution, including diesel particulate matter emissions, such as high-traffic freeways and roads, rail facilities, ports, and industrial facilities.

Water Quality

The following policies of the Water Quality chapter are relevant to the proposed desalination facility:

- WA-3: SCAG should encourage water reclamation where it is cost-effective, feasible, and appropriate to reduce reliance on imported water.
- WA-5: SCAG should facilitate information sharing between local water agencies and local jurisdictions, in order to evaluate future water demands, prepare realistic Urban Water Management Plans, and support sustainable water and growth management policies.
- WA-7: SCAG should provide, as appropriate, legislative support and advocacy for regional water conservation, supply, and water quality projects.
- WA-9: Developers and local governments should consider potential climate change hydrology and resultant impacts on available water supplies and reliability in the process of creating or modifying systems to manage water resources for both year-round and ecosystem health.

South Coast Air Quality Management Plan (AQMP)

The AQMP was prepared by the South Coast Air Quality Management District (SCAQMD) and aims to reduce emissions by 5%. The most recent AQMP was adopted in 2007. Emissions that would result from mobile, stationary, and area sources during construction and operation of the proposed project are subject to the rules and regulations of the SCAQMD. The SCAQMD rules applicable to the proposed project are outlined in Section 4.4, Air Quality.

IMPACTS

SIGNIFICANCE CRITERIA

As per the CEQA Guidelines, Appendix G, a project will normally have a significant adverse environmental impact on land use if it would:

- Physically divide an established community
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect
- Conflict with any applicable habitat conservation plan or NCCP.

Potential impacts related to land use and relevant planning have been identified and are categorized below according to topic.

LAND USE

As noted above, Poseidon has pursued the development of the site as a seawater desalination facility since 1999. The City of Huntington Beach approved the project's conditional use permit and coastal development permit on February 27, 2006. The proposed Seawater Desalination Project at Huntington Beach has been revised and is fully described in Section 3.0 of this SEIR. The applicant has submitted an application to the City of Huntington Beach for approval of an amended coastal development permit and conditional use permit that would replace the previous approvals. From a land use perspective, however, the project would not substantially change from the approved project. In connection with the previous approvals, the City found that the proposed project was consistent with the City's general plan, zoning and certified LCP (Broeren 2007).

The project proposes to implement a seawater desalination facility and associated improvements, including a 66-kilovolt substation, on a site surrounded by industrial uses. Residential uses are situated in the site vicinity; the nearest residential use is located approximately 500 feet west of the subject site. The project has the potential to create impacts with regards to air quality, noise, aesthetics, hazards and hazardous materials, and short-term construction impacts (addressed in the corresponding SEIR sections). However, the proposed desalination facility would be consistent with the City of Huntington Beach General Plan, LCP, and Zoning and Subdivision Ordinance, and will be subject to discretionary review and conditions of approval as part of the City's conditional use permit and coastal development permit process. In addition, the proposed project would replace dilapidated fuel oil storage tanks with a desalination facility and aboveground product water storage tank, which would improve the site's aesthetic character.

The existing site does not provide coastal access, and the proposed desalination facility does not interfere or limit public access to the coast. The project does not affect the visual elements of the coastal environment. The proposed facilities are shorter than the existing structures that will be removed. The City's Design Review Board has approved the design of the previously approved project, including all landscaping. However, because of the proposed changes in site and building configuration, the project will require additional consideration and approval from the Design Review Board. The treatment facilities are located inside an existing industrial site and will be buffered by the approved landscaping.

The HBGS and any modifications to that use are subject to review and approval by the California Energy Commission (CEC). As evidenced by the following statement, the CEC is aware of the proposed project and its relationship to the HBGS: "AES (as the land owner) and Poseidon have filed for a Conditional Use Permit with the City of Huntington Beach to construct and operate a water desalination facility on a portion of the 53-acre site. Any land use impacts generated by the desalination facility would be identified and evaluated in the City's environmental analysis" (CEC 2001, p. 14).

With implementation of standard construction measures and recommended mitigation measures throughout the SEIR, there are no anticipated significant land use impacts associated with short-term construction/remediation activities or long-term facility operation. The proposed pipeline alignment and underground pump station are adjacent to a variety of land uses, including residential, open space, commercial, educational, medical, and recreational. However, the pipelines

and underground pump stations would be subsurface and are not anticipated to result in any long-term land use impacts. In addition, it should be noted that Saint Paul's Greek Orthodox Church has been notified of the proposed pump station and has provided a letter of interest in response. These issues are discussed within other SEIR sections, including Sections 4.4 (Air Quality), 4.5 (Noise), 4.7 (Aesthetics/Light and Glare), 4.8 (Hazards and Hazardous Materials), and 4.9 (Construction-Related Impacts).

RELEVANT PLANNING

The proposed Seawater Desalination Project at Huntington Beach proposes to implement a 50-million-gallon-per-day desalination facility, with associated improvements and a 66-kilovolt substation, within an industrial area. Project implementation would be consistent with the City of Huntington Beach General Plan, LCP, and Zoning and Subdivision Ordinance, and with the SCAG RCP. During the design development stage, the applicant will submit more detailed plans reflecting code and policy compliance with specific issues. No significant relevant planning issues have been identified.

Zoning and Subdivision Ordinance

The seawater desalination facility is a permitted use within the Public-Semipublic with Oil and Coastal Zone Overlays (PS-O-CZ), as confirmed by the City's determinations relative to the previously approved project. The planning director further determined that the proposed project fits within section 240.08 of the Huntington Beach Zoning and Subdivision Ordinance (the City's implementing program) as a water treatment facility that will provide water to the public via a wholesale market, not as a facility owned and operated by a public agency or public utility (Broeren 2007). The proposed desalination facility does not propose to change any existing zoning designations. As the subject site is located within the coastal zone, the City's LCP (City of Huntington Beach 2001) is inclusive of the Zoning and Subdivision Ordinance and its policies. Therefore, the project would not conflict with applicable City zoning regulations, and no significant impacts would result.

City of Huntington Beach General Plan

The project site is designated as Public (P) by the City's General Plan (City of Huntington Beach 1996), as noted in the existing conditions discussion. Typical permitted uses within areas of this designation include governmental administrative and related facilities, such as utilities, schools, public parking lots, infrastructure, religious, and similar uses. The proposed desalination facility, which will produce potable water for other water suppliers to distribute to the public, is a use that is "similar" to governmental administrative and related facilities; therefore, the project would not conflict with General Plan land use designations for the site. Moreover, the city has determined that the previously approved project, as a proposed desalination use, is consistent with the General Plan and LCP designation of "Public," because it will produce potable water for other water suppliers to distribute to the public, and is a use "similar to governmental administrative related facilities" (Broeren 2007).

The following is an analysis of applicable policies from various General Plan elements:

Local Coastal Program (Coastal Element)

- Policy C1.1.1 (p. IV-C-106): With the exception of hazardous industrial development, new development shall be encouraged to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

The project does not conflict with this policy because the project is proposed on a site that is already developed with industrial uses. Pipelines are proposed to be routed in existing street rights-of-way and easements or other already developed areas.

- Policy C4.2.1 (p. IV-C-119): Ensure that the following minimum standards are met by new development in the coastal zone as feasible and appropriate:
    - Preservation of public views to and from the bluffs, to the shoreline and ocean and to the wetlands.
    - Adequate landscaping and vegetation.
    - Evaluation of project design regarding visual impact and compatibility.
    - Incorporate landscaping to mask oil operations and major utilities, such as the electrical power plant on Pacific Coast Highway.

The project does not conflict with this policy because the project plans include a number of measures to minimize adverse visual effects of the proposed facility. The facility would consist of relatively low-profile buildings reaching approximately 35 feet above the existing grade, which is below the 50-foot height limitation specified in the zoning code. The overall appearance would be similar to a commercial office building. As part of the facility design, both vegetative and architectural screening has been added to ensure that exposed pipelines, tanks, and other industrial-type equipment are screened from public view. The project would not significantly affect the scenic and visual qualities of the surrounding coastal areas and has been sited and designed to protect views to and along the ocean and scenic coastal areas, such that it is visually compatible with the character of surrounding areas.

- Policy C4.2.3 (p. IV-C-119): Promote the preservation of significant public view corridors to the coastal corridor, including views of the sea and the wetlands through strict application of local ordinances, design guidelines, and related planning efforts, including defined view corridors.

The project does not conflict with this policy (see discussion regarding Policy C4.2.1).

- Policy C4.7.1 (p. IV-C-122): Promote the use of landscaping material to screen uses that detract from the scenic quality of the coast along public right-of-way and within public view.

The project does not conflict with this policy (see discussion regarding Policy C4.2.1).

- Policy C4.7.5 (p. IV-C-122): Require the review of new and/or expansions of existing industrial and utility facilities to ensure that such facilities will not visually impair the City's coastal corridors and entry nodes.

The project site does not conflict with this policy (see discussion regarding Policy C4.2.1). Proposed pipeline facilities that are located within the coastal zone; however, consistent with the LCP, the facilities would be located below grade to ensure that such facilities will not visually impair the City's coastal corridors and entry nodes.

- Policy C4.7.8 (p. IV-C-122): Require landscape and architectural buffers and screens around oil production facilities and other utilities visible from public rights-of-way.

The project does not conflict with this policy (see discussion regarding Policy C4.2.1).

- Policy C4.7.9 (p. IV-C-122): Require the removal of non-productive oil production facilities and the restoration of the vacated site.

The project will replace dilapidated fuel oil storage tanks and will restore the site, substantially improving the existing visual character of the site.

- Policy C6.1.1 (p. IV-C-124): Require that new development include mitigation measures to enhance water quality, if feasible; and, at a minimum, prevent the degradation of water quality of groundwater basins, wetlands, and surface water.

The project does not conflict with this policy (see discussion regarding water quality protection measures in Section 4.3, Hydrology, Drainage, and Stormwater Runoff, of this SEIR).

- Policy C6.1.13 (p. IV-C-127): Encourage research and feasibility studies regarding ocean water desalinization as an alternative source of potable water. Participate in regional studies and efforts where appropriate.

The project does not conflict with this policy because the project is a seawater desalination facility intended to provide an alternative source of potable water.

- Policy C6.1.19 (p. IV-C-128): Prior to approval of any new or expanded seawater pumping facilities, require the provision of maximum feasible mitigation measures to minimize damage to marine organisms due to entrainment in accordance with state and federal law. In this case, the applicable state law is the California Coastal Act, Sections 30230 and 30231, and the California Water Code Section 13142.5(b).

As discussed in Section 4.10, Ocean Water Quality and Marine Biological Resources, application of CEQA significance thresholds results in a determination that the seawater desalination facility would not cause significant adverse impacts to marine life due to entrainment when it operates in either the co-located operating condition, or in the standalone operating condition. Sections 30230 and 30231 of the Coastal Act require generally that marine resources be maintained, enhanced, and, where feasible, restored. They also require that the marine environment be used in a manner that sustains biological productivity and maintains healthy populations of all marine species.

Based on the analysis contained in Section 4.10, it is not anticipated that the project would conflict with these policies. However, it is also noted that California Coastal Commission issuance of a coastal development permit will evaluate the project's consistency with these provisions of the Coastal Act, and that the evaluation will include all necessary provisions, conditions, or other requirements to ensure that consistency is achieved.

- Policy C7.1.3 (p. IV-C-129): Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The project does not conflict with this policy (see discussion regarding Policy C1.1.1).

- Policy C7.1.4 (p. IV-C-130): Require that new development contiguous to wetlands or environmentally sensitive habitat areas include buffer zones. Buffer zones shall be a minimum of one hundred feet setback from the landward edge of the wetland, with the exception of the following:

  A lesser buffer may be permitted if existing development or site configuration precludes a 100-foot buffer, or conversely, a greater buffer zone may be required if substantial development or significantly increased human impacts are anticipated. In either case, the following factors shall be considered when determining whether a lesser or wider buffer zone is warranted. Reduced buffer zone areas shall be reviewed by the Department of Fish and Game prior to implementation.

  - Biological significance of adjacent lands: The buffer should be sufficiently wide to protect the functional relationship between wetland and adjacent upland.

  - Sensitivity of species to disturbance: The buffer should be sufficiently wide to ensure that the most sensitive species will not be disturbed significantly by permitted development, based on habitat requirements of both resident and migratory species and the short and long term adaptability of various species to human disturbance.

  - Susceptibility of parcel to erosion: The buffer should be sufficiently wide to allow for interception of any additional material eroded as a result of the proposed development based on soil and vegetative characteristics, slope and runoff characteristics, and impervious surface coverage.

  - Use of existing cultural features to located buffer zones: The buffer zone should be contiguous with the environmentally sensitive habitat area and make use of existing features such as roads, dikes, irrigation canals, and flood control channels where feasible.

The project does not conflict with this policy because the project adheres to the policy's minimum setback requirements.

- Policy C7.1.5 (p. IV-C-130): Notify county, state, and federal agencies having regulatory authority in wetlands and other environmentally sensitive habitats when development projects in and adjacent to such areas are submitted to the City. The implementation of any Habitat Conservation Plan shall require an amendment to the Local Coastal Program. Incidental take of sensitive habitat and/or species that occurs in the context of development must be consistent with this LCP.

The project does not conflict with this policy because the project does not propose development in or adjacent to wetlands or environmentally sensitive habitats, and would not result in the incidental take of sensitive habitats or species.

- Policy C10.1.4 (p. IV-C-136): Require appropriate engineering and building practices for all new structures to withstand ground shaking and liquefaction such as those stated in the Uniform Building Code.

The project does not conflict with this policy because the project adheres to all appropriate and applicable building standards related to ground shaking and liquefaction (see Section 4.2, Geology, Soils, and Seismicity, of this SEIR).

Land Use Element

The following is an analysis of the applicable policies of the Land Use Element:

- Policy LU 4.1.1 (p. II-LU-20): Require adherence to or consideration of the policies prescribed for *Design and Development* in this Plan, as appropriate.

The project does not conflict with this policy because the project is required to adhere to all applicable policies related to Design and Development.

- Policy LU 4.1.2 (p. II-LU-20): Require that an appropriate landscape plan be submitted and implemented for development projects subject to discretionary review.

The project does not conflict with this policy because the project is required to submit and implement a landscape plan.

- Policy LU 4.1.6 (p. II-LU-20): Require that commercial and industrial development incorporate adequate drought-conscious irrigation systems and maintain the health of the landscape.

The project does not conflict with this policy because the landscape plan includes drought-conscious irrigation systems (see Section 3.4, Project Characteristics, of this SEIR).

- Policy LU 4.2.1 (p. II-LU-20): Require that all structures be constructed in accordance with the requirements of the City's building and other pertinent codes and regulations; including new, adaptively re-used, and renovated buildings.

The project does not conflict with this policy because the project is required to adhere to all applicable requirements related to building codes and regulations.

- Policy LU 4.2.4 (p. II-LU-20): Require that all development be designed to provide adequate space for access, parking, supporting functions, open space, and other pertinent elements.

The project does not conflict with this policy because the project is required to adhere to all applicable policies and requirements related to access, parking, supporting functions, and open space.

- Policy LU 4.2.5 (p. II-LU-20): Require that all commercial, industrial, and public development incorporate appropriate design elements to facilitate access and use as required by state and federal laws such as the American's with Disabilities Act.

The project does not conflict with this policy because the project is required to adhere to all applicable policies and requirements related to accessibility.

- Policy LU 5.1.1 (p. II-LU-21): Require that development protect environmental resources by consideration of the policies and standards contained in the Environmental Resources/Conservation Element of the General Plan and federal (NEPA) and state (CEQA) regulations.

  During the development review process:

  - Review any development proposal for the Bolsa Chica area, Huntington Beach wetlands, and throughout the City to ensure that no development is permitted in federally delineated wetlands; and

  - Review any development proposed for non-wetland areas to ensure that appropriate setbacks and buffers are maintained between development and environmentally sensitive areas to protect habitat quality.

The project does not conflict with this policy because the project does not propose development in or adjacent to wetlands or environmentally sensitive habitats, and provides for all required setbacks and buffers.

- Policy LU 7.1.2 (p. II-LU-22): Require that development be designed to account for the unique characteristics of project sites and objectives for community character and in accordance with the Development "Overlay" Schedule (Table LU-3) as appropriate.

The project does not conflict with this policy (see discussion regarding Policy C1.1.1).

- Policy LU 7.1.5 (p. II-LU-22): Accommodate the development of a balance of land uses that maintain the City's fiscal viability and integrity of environmental resources.

The project does not conflict with this policy because the project proposes redevelopment on underutilized land for productive economic use.

- Policy LU 12.1.4 (p. II-LU-41): Require that new and recycled industrial projects be designed and developed to achieve a high level of quality, distinctive character, and compatible with existing uses.

The project does not conflict with this policy because the project has been designed to improve the overall visual character of the site through building design and landscaping.

- Policy LU 12.1.5 (p. II-LU-41): Require that new and recycled industrial structures and sites be designed to convey visual interest and character and to be compatible with adjacent uses, considering the:
    - Use of multiple building masses and volumes to provide visual interest and minimize the visual sense of bulk and mass;
    - Architectural design treatment of all building elevations;
    - Use of landscaping in open spaces and parking lots, including broad landscaped setbacks from principal peripheral streets;
    - Enclosure of storage areas with decorative screening or walls;
    - Location of site entries to minimize conflicts with adjacent residential neighborhoods; and
    - Mitigation of noise, odor, lighting, and other impacts.

The project does not conflict with this policy because it has been designed to improve the overall visual character of the site through building design and landscaping (see discussion regarding Policy LU 12.1.4).

- Policy LU 12.1.7 (p. II-LU-42): Control the development of industrial uses that use, store, produce, or transport toxins, generate unacceptable levels of noise or air pollution, or result in other impacts that may adversely impact Huntington Beach.

The project does not conflict with this policy because the project includes appropriate and adequate controls for the handling, storage, and use of hazardous materials (see Section 4.8 of this SEIR).

Urban Design Element

The following is an analysis of the applicable policy of the Urban Design Element:

- Policy UD 2.1.1 (p. II-UD-27): Require that new development be designed to consider coastal views in its massing, height, and site orientation.

The project does not conflict with this policy because the project plans include a number of measures to minimize adverse visual effects of the proposed facility. The facility would consist of

relatively low-profile buildings reaching approximately 35 feet above the existing grade, which would comply with applicable zoning code height restrictions of 50 feet. The overall appearance would be similar to a commercial office building. As part of the facility design, both vegetative and architectural screening has been added to ensure that exposed pipelines, tanks, and other industrial-type equipment are screened from public view. The project would not significantly affect the scenic and visual qualities of the surrounding coastal areas and has been sited and designed to protect views to and along the ocean and scenic coastal areas, such that it is visually compatible with the character of surrounding areas. In addition, the project would replace three existing dilapidated fuel oil storage tanks with contemporary industrial structures, which would improve the site's aesthetic character and result in a beneficial impact.

Economic Development Element

The following is an analysis of the applicable policy of the Economic Development Element:

- Policy ED 2.5.2 (p. II-ED-24): Seek to capture new growth industries such as, but not limited to:
    - Knowledge based industries, such as research and development firms (higher technology communications and information industries);
    - Communication industry service providers and equipment manufacturers which are creating the next series of consumer and utility company equipment and services;
    - Biotechnical industries;
    - Environmental technology; and
    - Point of sale industries.

The project does not conflict with this policy because the project provides water supply infrastructure to support high-technology and biotechnology industrial uses.

Environmental Resources/Conservation Element

The following is an analysis of the applicable policy of the Environmental Resources/Conservation Element:

- Policy ERC 4.1.5 (p. IV-ERC-25): Promote the preservation of public view corridors to the ocean and the waterfront through strict application of local ordinances, design guidelines and related planning efforts, including defined view corridors.

The project does not conflict with this policy (see discussion regarding Policy UD 2.1.1).

Air Quality Element

The following is an analysis of the applicable policy of the Air Quality Element:

- Policy AQ 1.8.2 (p. IV-AQ-15): Require installation of temporary construction facilities (such as wheel washers) and implementation of construction practices that minimize dirt and soil transfer onto public roadways.

The project would not conflict with this policy because Section 4.9 of this SEIR contains mitigation measures to control dispersal of soil as a result of construction activities.

Environmental Hazards Element

The following is an analysis of the applicable policy of the Environmental Hazards Element:

- Policy EH 1.2.1 (p. V-EH-24): Require appropriate engineering and building practices for all new structures to withstand ground shaking and liquefaction such as stated in the Uniform Building Code (UBC).

The project does not conflict with this policy because the project adheres to appropriate and applicable building standards related to ground shaking and liquefaction (see Section 4.2 of this SEIR).

Noise Element

The following is an analysis of the applicable policy of the Noise Element:

- Policy N 1.2.2 (p. V-N-6): Require new industrial and new commercial land uses or the major expansion of existing land uses to demonstrate that the new or expanded use would not be directly responsible for causing ambient noise levels to exceed an exterior Ldn of 70 dB(A) on areas containing “noise sensitive” land uses as depicted on Figure N-1.

The project would not conflict with this policy because the project will be required to adhere to all applicable noise restrictions established by the City (see Section 4.5 of this SEIR).

Hazardous Materials Element

The following is an analysis of the applicable policies of the Hazardous Materials Element:

- Policy HM 1.1.4 (p. V-HM-7): Implement federal, state, and local regulations for the handling, storage, and disposal of hazardous materials.

- Policy HM 1.2.2 (p. V-HM-7): Ensure that hazardous waste transportation activities are conducted in a manner that will minimize risks to sensitive uses.

- Policy HM 1.4.4 (p. V-HM-8): Require that owners of contaminated sites develop a remediation plan with the assistance of the Orange County Environmental Management Agency (EMA).

The project does not conflict with this policy because project includes appropriate and adequate controls for the handling, storage, and use of hazardous materials (see Section 4.8 of this SEIR).

Southeast Coastal Redevelopment Plan

The Southeast Coastal Redevelopment Plan does not change any General Plan or zoning designations within the redevelopment area (including the proposed desalination facility site), and the proposed project will be consistent with the Southeast Coastal Redevelopment Plan, General Plan, and zoning.

California Coastal Act

Sections 30230 and 30231 - Protection of Marine Life and Water Quality:

A complete discussion of Coastal Act Sections 30230 and 30221 is provided above under the analysis of Policy C6.1.19 of the LCP.

Sections 30210, 30212(a), 30212.5, and 30213 - Public Access:

The proposed project would be built largely on a site already occupied by industrial uses and would not affect public access to the shoreline at that location. The project also includes constructing pipelines under roads within the coastal zone, although the pipeline construction would be similar to other road construction projects; temporary construction impacts would not result in significant adverse effects on public access to the shoreline and would not conflict with the provisions of Coastal Act Sections 30210, 30212(a), 30212.5, and 30213.

Section 30251 - Scenic and Visual Resources:

The proposed project would be built largely within the existing developed area of the HBGS. The seawater desalination facility site is currently occupied by large oil tanks that are no longer in use and that have been proposed for demolition. The desalination facility would create less of a visual impact than the currently existing tanks.

The project plans include a number of measures to minimize adverse visual effects of the proposed facility. The facility would be composed of relatively low-profile buildings reaching approximately 35 feet above the existing grade. The overall appearance would be similar to a commercial office building. As part of the facility design, both vegetative and architectural screening has been added to ensure that exposed pipelines, tanks, and other industrial-type equipment are screened from public view. The project would not significantly affect the scenic and visual qualities of the surrounding coastal areas and has been sited and designed to protect views to and along the ocean and scenic coastal areas, such that it is visually compatible with the character of surrounding areas. Therefore, the project would not conflict with the provisions of Coastal Act Section 30251.

Section 30253(4) - Energy Use and Greenhouse Gas Emissions:

The project effects related to energy consumption and greenhouse gas emissions are presented in Section 4.12, Climate Change, of this SEIR. As discussed in Section 4.12, the project features, including the Energy Minimization and Greenhouse Gas Reduction Plan, will minimize energy consumption and result in less-than-significant impacts related to greenhouse gas emissions.

Therefore, the project would not conflict with Section 30253(4) requirements to minimize energy consumption and reduce impacts to coastal resources caused by greenhouse gas emissions.

Sections 30250 and 30254 - Development and Public Services

Coastal Act Section 30250(a) generally requires that new industrial development, such as the proposed project, be sited in developed areas able to accommodate it or in areas with adequate public services and where it will not result in significant adverse effects to coastal resources. The facility would be located on an existing industrial site in an area with public services provided.

Coastal Act Section 30254 requires in part that development not preclude public works facilities able to accommodate only limited new development from providing essential public services. Taken together, these policies are meant to ensure, in part, that new development not outpace the ability of communities to provide necessary public services and that development be supportive of other coastal resources.

As discussed in Section 6.0, Alternatives to the Proposed Action, of this SEIR, the project would not outpace new development and would not cause significant growth-inducing impacts, because the water produced by the project will be sold to various water districts and cities;. Use of that water by those districts and cities will be subject to the applicable current and future growth plans, allowable levels of buildout, and conservation plans adopted by those districts and cities or by the local jurisdictions they serve. The project provides part of the water supply that the California Department of Water Resources has identified as being needed in the area. The project is a needed component of, and is consistent with, state, regional, and local water supply planning to meet an identified demand. Therefore, the project would not conflict with the provisions of Coastal Act Sections 30250(a) and 30254.

Southern California Association of Governments Regional Comprehensive Plan and Guide

The following is an analysis of relevant policies from the RCP:

Air Quality

- AQ-3: SCAG should develop policies that discourage the location of sensitive receptors that expose humans to adverse air quality impacts by:
    - Assisting local governments to develop policies that minimize exposure of sensitive receptors and sites (e.g., schools, hospitals, and residences) to major sources of air pollution, including diesel particulate matter emissions, such as high-traffic freeways and roads, rail facilities, ports, and industrial facilities.

The project would not conflict with these policies because the project proposes industrial uses in an existing industrial use area and would not result in exposure of sensitive receptors to hazards related to air quality (see Section 4.4 of this SEIR).

Water Quality

- WA-3: SCAG should encourage water reclamation where it is cost-effective, feasible, and appropriate to reduce reliance on imported water.

- WA-5: SCAG should facilitate information sharing between local water agencies and local jurisdictions, in order to evaluate future water demands, prepare realistic Urban Water Management Plans, and support sustainable water and growth management policies.

- WA-7: SCAG should provide, as appropriate, legislative support and advocacy for regional water conservation, supply, and water quality projects.

- WA-9: Developers and local governments should consider potential climate change hydrology and resultant impacts on available water supplies and reliability in the process of creating or modifying systems to manage water resources for both year-round and ecosystem health.

The project would not conflict with these policies because the project represents development of local water supplies that would reduce dependence on imported water and increase water supply reliability, and would not result in growth inducement.

South Coast Air Quality Management Plan

A discussion regarding the proposed project's consistency with the AQMP can be found in the Section 4.4.

SUMMARY OF IMPACTS

No significant impacts to land use/relevant planning were identified; therefore, no mitigation measures are required.

MITIGATION MEASURES

LAND USE

None required.

RELEVANT PLANNING

None required.

UNAVOIDABLE SIGNIFICANT IMPACTS

None have been identified.

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